

REMARKS

The Examiner is thanked for the due consideration given the application. The specification has been amended to improve the language.

Claims 1-3 and 5-17 are pending in the application. Claim 4 is cancelled by this amendment without prejudice or disclaimer. Independent claim 1 and 2 have been amended to set forth glass fibers and mica in a fashion that is supported in paragraphs 0026 and 0036 to 0039 of the specification.

Claims 6-17 are new. New claims 6 and 11 find support in paragraph 0020 of the specification. New claims 7 and 12 find support in paragraph 0021 of the specification. New claims 8 and 13 find support in paragraph 0022 of the specification. New claims 9 and 14 find support in paragraph 0025 of the specification. New claims 10 and 15 find support in paragraph 0004 of the specification. New claims 16 and 17 positively recite the intake system for an internal combustion engine.

No new matter is believed to be added to the application by this amendment.

Rejection Over Kinoshita et al.

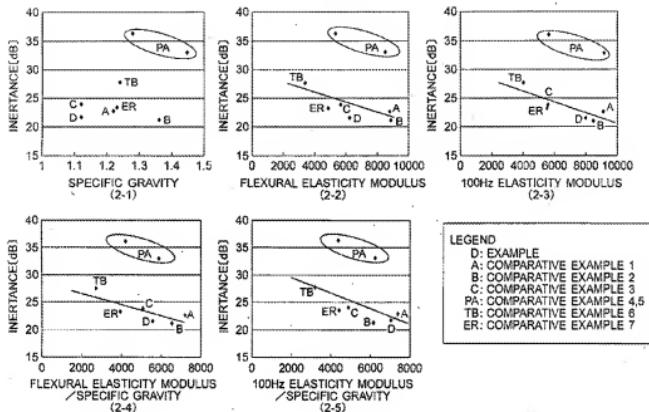
Claims 1-5 have been rejected under 35 USC §103(a) as being unpatentable over Kinoshita et al. (U.S. Publication 2002/0037965). This rejection is respectfully traversed.

The present invention pertains to fiber reinforced resin composition for parts of an intake system on an internal

combustion engine. The present invention, such as is set forth in independent claims 1 and 2, utilizes: "glass fibers in a range of 5 - 15% by weight of the composition; and mica in a range of 15 - 25% by weight of the composition." The mixing of the glass fibers and mica achieves the unexpected and advantageous benefits that the "the specific gravity is reduced at about 10% as compared with the comparative example used conventionally, and the inertance becomes lower," such as is described in paragraph 0039 of the specification.

Comparative Example 2 in the specification indicates a low inertance comparable to the present invention, however, but does not produce the benefit of weight reduction due to the overlarge specific gravity. This can be clearly observed in the upper left hand graph in Figure 2 of the application, which is reproduced below.

FIG. 2



Kinoshita et al. pertain to a high-impact thermoplastic resin composition formed from 5 to 95 parts by weight of a thermoplastic elastomer comprising a partially or completely crosslinked saturated rubber-like polymer and a polyolefinic resin and/or a polystyrene-based resin.

However, Kinoshita et al. do not describe a composition for parts of an intake system on an internal combustion engine, that includes "glass fibers in a range of 5 - 15% by weight of the composition; and mica in a range of 15 -25% by weight of the composition," which achieves the characteristics of the present invention discussed above.

Indeed, Kinoshita et al. are silent with regards to problems arising from the utilization of polymeric compositions in parts

for internal combustion engines, and how the composition of the present invention yields unexpected advantages such as shifting of resonance frequency to reduce noise (see, e.g., claims 10 and 15, see also Figures 3-5).

Therefore, one of ordinary skill and creativity would not produce a claimed embodiment of the present invention from a knowledge of Kinoshita et al. A *prima facie* case of unpatentability has thus not been made. Also, the present invention displays unexpected results (for example as discussed above) that would rebut any unpatentability that could be alleged.

This rejection is believed to be overcome, and withdrawal thereof is respectfully requested.

New Claims 6-17

New claims 6-17 have been presented for consideration on the merits. It is believed that new claims 6-17 are instantly patentable for at least the reasons set forth above.

Conclusion

The issuance of a Notice of Allowability is earnestly solicited.

Should there be any matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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